

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA (JOHNSTOWN)

DEBRA HEVERLY CAMPBELL,

Plaintiff,

v.

M&T BANK,

Defendant.

No.: 3:16-cv-00118-KRG

Judge Kim R. Gibson

Electronically Filed

**MOTION TO DISMISS  
PLAINTIFF'S COMPLAINT  
PURSUANT TO RULES 8(A),  
12(B)(6) and 12(B)(7)**

**MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

Pursuant to Federal Rules of Civil Procedure ("Rule") 8(a), 12(b)(6) and 12(b)(7), Defendant M&T Bank, by and through the undersigned counsel, respectfully move the Court for an Order dismissing Plaintiff's Complaint on the grounds that it fails to join an indispensable party, fails to state a claim upon which relief may be granted, and because the Complaint fails to satisfy the pleading requirements of Rule 8(a). A Brief in Support of this Motion, filed contemporaneously herewith, is incorporated by reference herein.

Dated: June 2, 2016

Respectfully submitted,

/s/ John E. Joseph

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**CERTIFICATE OF SERVICE**

I hereby certify that, on June 2, 2016, I electronically filed the foregoing using the Court's CM/ECF system. I also certify that I sent copies of the foregoing via first class mail to the following parties at the following addresses:

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/s/ John E. Joseph  
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